

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO

RICHARD FISH,

Plaintiff,

vs.

Civ. No. 00-885 DJS/WWD ACE

AMERICA ONLINE, INC.,

Defendant.

MEMORANDUM OPINION AND ORDER

This matter comes before the Court upon Plaintiff's motion to compel discovery filed January 22, 2001. The motion to compel was due twenty days after the responses to Plaintiff's discovery were served on November 17, 2000. D.N.M.-LR Civ. 26.6. Additionally, the motion to compel failed to comply with D.N.M.-LR Civ. 37.1 which requires that the discovery sought and the responses thereto be filed with a motion to compel. The motion to compel was untimely and it was not in proper form. No good cause has been shown for the failure to follow the rules of the Court.

**WHEREFORE,**

**IT IS ORDERED** that Plaintiff's Motion to Compel Discovery [Dkt. #29] is **DENIED**.

  
UNITED STATES MAGISTRATE JUDGE